

**THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

MARK BREAKIRON,  
Petitioner,

v.

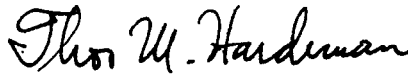
CIVIL ACTION NO. 00-300

MARTIN HORN, Commissioner,  
Pennsylvania Department of Corrections,  
CONNER BLAINE, Superintendent of the  
State Correctional Institution at Greene,  
JOSEPH P. MAZURKIEWICZ,  
Superintendent of the State Correctional  
Institution at Rockview,  
Respondents.

Judge Thomas M. Hardiman

**ORDER**

AND NOW, this 28th day of February 2006, it is hereby ORDERED that Petitioner's Motion for Summary Judgment as to Claims 3 and 1 (doc. 82) is DISMISSED WITHOUT PREJUDICE. It is further ORDERED that this court's December 20, 2005 Order (doc. 95) directing that discovery must be completed by February 28, 2006 is VACATED.



Thomas M. Hardiman  
United States District Court Judge  
Western District of Pennsylvania

cc: All parties of record